IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6034 OF 2005

Vikas Ramdas Navasare ..Petitioner.

Vs.

State of Maharashtra & Ors. ..Respondents.

....

Mr.A.R.Joshi for the Petitioner.

Mr.C.R.Sonawane, AGP for the Respondents.

....

CORAM : F.I.REBELLO &

DR.D.Y.CHANDRACHUD, JJ.

5th October, 2005.

P.C. :

Rule. Heard forthwith.

One of the grievances raised by the Petitioner in the Petition is that the hearing was given by the two members of the Committee whereas the order is signed by the three members, one of

whom was not available at the time when the hearing was given. Learned AGP had sought time to file reply. But no reply has been filed. The averments in the Petition remain uncontested. In the light of that, the following order :

The impugned order dated 21st May, 2005 is set aside. The matter is remanded back to the Scheduled Tribe Certificate Scrutiny Committee, Konkan Division, Thane to decide the same in accordance with law and dispose it within six months from today. In the meantime, Respondent No.3 not to terminate the services of the Petitioner.

Rule made absolute accordingly. There shall be no order as to costs.

(F.I.REBELLO, J.)

(DR.D.Y.CHANDRACHUD, J.)